

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: : **STANDING ORDER NO. 08-2**
APPOINTMENT OF COUNSEL IN :
PROCEEDINGS RELATED TO THE :
RETROACTIVE CRACK-COCAIN :
E GUIDELINE AMENDMENTS :

ORDER

WHEREAS on November 1, 2007, the United States Sentencing Commission amended the Federal Sentencing Guidelines to lower the applicable guideline range for offenses involving cocaine base ("crack cocaine");

WHEREAS on December 11, 2007, the Sentencing Commission promulgated an amendment to Policy Statement § 1B1.10, effective March 3, 2008, which authorizes a court to reduce a previously imposed term of imprisonment pursuant to 18 U.S.C. § 3582(c)(2) in cases involving crack-cocaine offenses where the applicable guideline range has been lowered;

WHEREAS it is estimated that several hundred defendants sentenced by this Court may be eligible for reductions as a result of these changes to the Sentencing Guidelines, and this Court has determined that the interests of justice require that counsel be provided to such defendants;

THEREFORE, IT IS HEREBY ORDERED THAT, effectively immediately, where it appears that a defendant may be eligible for a sentence reduction consistent with Policy Statement § 1B1.10, the Federal Public Defender for the United States District Court for the Middle District of Pennsylvania is appointed as counsel for all financially eligible persons, consistent with 18 U.S.C. § 3006A and the Criminal Justice Act Plan of the United States District Court for the Middle District of Pennsylvania, in all proceedings held in this Court pursuant to 18 U.S.C. § 3582(c) arising from the above-described crack-cocaine guideline

amendments. In the event that the Federal Public Defender is unable to represent a defendant in such proceedings, the Federal Public Defender shall designate an attorney in accordance with the Criminal Justice Act Plan of the United States District Court for the Middle District of Pennsylvania. In the event that a defendant was represented by counsel who is presently a member of the Criminal Justice Act Panel and is available to serve as counsel, said counsel shall be appointed.

FOR THE COURT,



Yvette Kane, Chief Judge
United States District Court
Middle District of Pennsylvania

Dated: February 29, 2008